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16 *Attorneys for Defendant Zuffa, LLC, d/b/a*
17 *Ultimate Fighting Championship and UFC*

18
19 UNITED STATES DISTRICT COURT
20 DISTRICT OF NEVADA

21 Cung Le, Nathan Quarry, Jon Fitch, Brandon
22 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
23 others similarly situated,

24 Plaintiffs,

25 v.

26 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

27 Defendant.
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF JOHN F. COVE, JR.
IN SUPPORT OF ZUFFA, LLC'S
MOTION TO SEAL**

1 I, John F. Cove, Jr., declare as follows:

2 1. I am an attorney admitted to practice before the courts in the states of California
3 and New York and am admitted Pro Hac Vice to practice before this Court. I am a Partner in the
4 law firm Boies, Schiller & Flexner LLP, counsel to Defendant Zuffa, LLC (“Zuffa”) in this case.

5 2. I make this declaration in support of Zuffa’s Motion to Seal Certain Materials
6 Filed With Plaintiffs’ Motion to Challenge Privilege Designation and Zuffa, LLC’s Opposition to
7 that Motion. Based on my review of the files and records in this case, I have firsthand knowledge
8 of the contents of this declaration and could testify thereto.

9 3. Zuffa seeks to file under seal (1) two exhibits identified as Exhibits 1 and 2 of the
10 Rayhill Declaration, (2) corresponding portions of Plaintiffs’ Motion to Challenge Privilege
11 Designation referencing those exhibits, (3) six exhibits identified as Exhibits A, B, C, D, E and F
12 to the Lynch Declaration and (4) corresponding portions of the Opposition relating to any of the 8
13 previously listed exhibits. This declaration is submitted to provide the factual and legal support
14 for the filing of this material.

15 4. Federal Rule of Civil Procedure 26(c) provides that the Court may “issue an order
16 to protect a party or person from annoyance, embarrassment, oppression or undue burden or
17 expense” by “requiring that a trade secret or other confidential research, development, or
18 commercial information not be revealed or be revealed only in a specific way.”

19 5. **Exhibit 1** to the Rayhill Declaration contains an attorney’s request for legal advice
20 about a draft of proposed contractual language and is protected by attorney-client privilege, as
21 well as containing Zuffa’s confidential business information.

22 6. **Exhibit 2** to the Rayhill Declaration contains a draft of the parties’ Joint Status
23 Report that contains confidential material that this Court has already Ordered to remain under
24 seal. ECF No. 253.

25 7. **Exhibit A** contains an attorney’s request for legal advice about a draft of proposed
26 contractual language and is protected by attorney-client privilege, as well as containing Zuffa’s
27 confidential business information.

28 8. **Exhibit B** is an executed version of Zuffa’s agreement with an athlete.

